

Wetlands Bureau Decision Report

Decisions Taken
09/01/2008 to 09/07/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2006-01168 FREUDENBERG-NOK GENERAL PARTNERSHIP BRISTOL Newfound River

Requested Action:

Dredge 70680 square feet within the bed and banks of the Newfound River and associated flood plain wetlands for the removal of a dam and reconstruction of a naturalized river channel and rock ramp to meet grades.

APPROVE AMENDMENT:

Dredge 70680 square feet within the bed and banks of the Newfound River and associated flood plain wetlands for the removal of a dam and reconstruction of a naturalized river channel and rock ramp to meet grades.

With Conditions:

1. All work shall be in accordance with revised plans by The HL Turner Group dated July 25, 2008, and revised through August 26, 2008 as received by the Department on August 27, 2008.
2. This permit is based on the on approval by the DES Dam Safety Program.
3. Prior to construction, the contractor shall submit to the DES Wetlands Bureau a detailed phasing plan for all in-stream activities.
4. The permittee shall notify in writing DES Wetlands Bureau and the Bristol Conservation Commission of their intention to begin construction no less than five (5) business days prior to the commencement of construction.
5. During Construction in-stream activities shall be inspected by a qualified wetland scientist, or erosion control specialist, or a fluvial geomorphologist, weekly or as appropriate to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau, except where impacts have been permitted.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Overnight storage of construction equipment shall occur outside of the jurisdiction of the DES Wetlands Bureau.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. The required plantings shall only be installed within the growing season. Stream banks shall be restored to a stable condition upon completion of construction and shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a well vegetated bank is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. The stone fill within the rock ramp shall be in accordance with the Army Corps of Engineers Engineering Manual 1110-2-1601. A gradation curve of the stone used in the construction of the ramp shall be provided to DES Wetlands file 2006-1168 prior to installation.
18. Within three days of final grading, or where construction activities have been temporarily suspended, all exposed soil areas shall be stabilized by seeding and mulching within the growing season. Or if outside of the growing season all exposed areas shall be stabilized by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The permittee or a designee shall conduct annual follow-up inspections for the first two growing seasons, to review the success and stability of the rock ramp design, monitor the success of the plantings and biostabilization measures implemented and schedule remedial actions if necessary. A report including photographs of the stationed monitoring locations and outlining any follow-up

measures and a schedule for completing the remedial work shall be submitted to the DES Wetlands Bureau by December 1 of each year.

20. A post-construction report documenting the status of the completed project including: A narrative of the project completion status including but not limited to the top of rock ramp wall elevation, and the bottom of the ramp wall elevation adequate spot elevations to verify consistency of slope and the final length of the ramp; The installation of the biostabilization measures including approximate placement locations, lengths and widths, the success of dredge spoil deposition and stabilization; The report must also include baseline monitoring stationed photographs of the site for future monitoring purposes and shall be submitted to the DES Wetlands Bureau within 60 days of the completion of construction.

21. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

With Findings:

1. This approval is issued in accordance with the Court Settlement Agreement originally made February 19, 2008 as amended July 15, 2008.

2007-02043 WOOD TRUST, DONALD
LANGDON Cold River

Requested Action:

Request to stabilize approximately 1,084 linear feet of Cold Riverbank.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to stabilize approximately 1,084 linear feet of Cold Riverbank.

With Findings:

1. A request for additional information dated December 13, 2007, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. DES received an incomplete response to the December 13, 2007, Request for More Information on April 11, 2008.
3. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
4. A time extension signed by the applicant on May 08, 2008, required the submittal all of the information still required as specified on the time extension by August 07, 2008.
5. DES did not receive the requested additional information by August 07, 2008 and therefore the application has been denied.

2008-00801 ADAMS, JAMES
DURHAM Great Bay

Requested Action:

Construct a tidal docking structure consisting of a 6' x 20' permanent pier connecting to a 3' x 36' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 63', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 1,046' of frontage on Great Bay.

Inspection Date: 08/26/2008 by Dori A Wiggin

APPROVE PERMIT:

Construct a tidal docking structure consisting of a 6' x 20' permanent pier connecting to a 3' x 36' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 63', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 1,046' of frontage on Great Bay.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine, dated 5/08/2008, as received by the Department on 5/16/2008.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction of this tidal docking structure consisting of a 6' x 20' permanent pier connecting to a 3' x 36' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 63', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 1,046' of frontage on Great Bay on Durham Tax Map 20, Lot 8-1, shall be the only dock structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. The seasonal ramp and float shall be withdrawn from the water in the fall either directly onto the permanent pier, or in another manner that prevents creating erosion of the bank or marsh. Spring re-installation shall also be done in a manner that prevents creating erosion of the bank or marsh.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is constructed to cross the vegetated tidal resource. The ramp and floats are seasonal, and the structure is the minimum length necessary to reach usable water on Great Bay, and is consistent with, or shorter than, docks recently approved in the immediate vicinity.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. The species of concern reported by the NH Natural Heritage Bureau for the project vicinity, however review finds that all are located well away from the project area, and would not be affected by the dock construction. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated 6/3/2008; and the dock is located greater than 20 feet off the abutting property lines.
5. The Durham Conservation Commission ("DCC") inspected the site on 7/22/2008 and reported that, after looking at the entire property's shoreline, no less-impacting location for the dock was found.
6. In response to the DCC's concern relative to the potential impacts to the marsh by seasonal removal of the ramp and float, the permit has been conditioned to require the applicant to either pull the ramp and float up directly onto the permanent pier for winter storage, or to employ other necessary removal methods to avoid any possible impact to the marsh.
7. The abutters, Sally and Dan Ford have expressed opposition to the dock, per letters dated 6/19/2008, as received by DES 6/23/2008, and dated 7/24/2008, as received by DES on 7/30/2008. The issues raised include a) that the Fords, or other abutters or neighbors, the Kendalls and the McIntoshes respectively, would be able to see and hear the dock and this would devalue their property; b) the size of the dock was "huge" and "industrial"; c) erosion to the bank from hauling out the floats d) the cove has thousands of geese and ducks, and sea lavender; e) the owners are summer people and the property is for sale.
8. Review of the abutter's comments by DES finds as follows:
 - a. relative to the dock's presence reducing the unobstructed scenic value of Great Bay, DES finds that tidal docking structures are a common part of the scenery throughout the estuary (for instance, there are docks on both the abutting properties), and the sight of this dock, which is small in comparison to other approved tidal docks, will not diminish the scenic value of Great Bay or diminish property values;
 - b. relative to the size of the dock, DES finds through review of permitting actions over the last 20 years, that tidal docks approved in Great Bay, Little Bay, the Cocheco River, Piscataqua River, range from sizes that include no permanent pier at all with only a ramp

connected to the bank to a float, to structures that are 180+ feet long, many with 100' long permanent piers. DES finds that the proposed pier, ramp, and float are modest at an overall length of 63'. In fact the permanent pier proposed by the applicant is 4' shorter in length than the length of the permanent pier owned by the abutter.

c. Relative to the concern about erosion of the bank during haul out of the seasonal portions of the structure, DES has conditioned the permit to require that this activity occur in a manner that avoids such impacts, non-compliance with which will subject the permittee to enforcement action by the agency.

d. Relative to the concern that the cove contains thousands of geese, ducks and sea lavender; DES finds that entire estuary is habitat to geese and ducks of various species, and that the presence of one docking structure, extending 63' into the waterbody on 1,046 feet of shoreline frontage is unlikely to reduce the use of the estuary by these species. No geese or ducks were noted at the site during DES field inspection on 8/26/2008. Relative to the sea lavender, sea lavender is not a listed threatened or endangered plant species concern; the abutter provides no evidence of the presence of sea lavender at the proposed dock location; nor was the plant observed at the dock location during DES field inspection on 8/26/2008.

e. Relative to the house and property being for sale, and the presence or absence of the owners, DES finds that these circumstances are irrelevant to, and beyond the scope of, the review of the wetlands application.

9. This application has received review of the federal PGP Joint Processing Meeting on 6/25/2008, and deemed eligible as proposed by the National Marine Fisheries ("NMFS").

7. This dock is consistent with other tidal dock approvals in the seacoast.

8. DES staff field inspection on 8/26/2008 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

2008-01090 BATH, TOWN OF
BATH Ammonoosuc River

Requested Action:

Stabilize approximately 22500 sq. ft. (1,000 linear ft.) of river bank along the Ammonoosuc River in Bath. Work consists of a combination of rip-rap/rock armoring and bioengineering with installation of rock veins and planting with willow and dogwood live stakes, stickers and wattles and loaming and seeding the area between the road surface and top of bank.

Inspection Date: 05/13/2008 by William A Thomas, Cws

APPROVE PERMIT:

Stabilize approximately 22500 sq. ft. (1,000 linear ft.) of river bank along the Ammonoosuc River in Bath. Work consists of a combination of rip-rap/rock armoring and bioengineering with installation of rock veins and planting with willow and dogwood live stakes, stickers and wattles and loaming and seeding the area between the road surface and top of bank.

With Conditions:

1. All work shall be in accordance with plans by Associated Consulting Civil Engineers, PLLC, plan sheets 1, 3, 4, 5, 6 and 7 of 7 dated July 18, 2008, as received by DES on July 23, 2008 and revised plan sheet 2 of 7 dated July 15, 2008, as received by DES on August 1, 2008 and narratives by Lobdell Associates Inc., dated June 13, 2008, as received by DES on June 18, 2008.

2. Work shall be done during low flow.

3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

4. A New Hampshire Certified Wetland Scientist (CWS) and New Hampshire Licensed Engineer shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives.

5. Bank restoration plantings shall have at least 75% success after two (2) growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.

6. A post-construction report documenting the status of the project shall be submitted to the Wetlands Bureau and the NHDES Rivers Coordinator within 60 days and one full growing season after the completion of construction.

7. Construction equipment shall work from the adjacent banks and upland areas.

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.

13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

15. Temporary cofferdams shall be entirely removed immediately following construction.

16. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.

17. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.

18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

21. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The proposed project is needed to attempt to prevent further scouring of the river bank from ice jams that have historically occurred in this area and for installation of rock veins to direct flows from the river bank and reduce bank scouring.

6. The adjacent roadway needs to be protected because the road provides the only emergency vehicle access to western Bath due to the closing of the Bath covered bridge to heavy vehicles.

7. DES Staff conducted a field inspection of the proposed project on May 13, 2008.

8. The New Hampshire Fish and Game Department, (NHFG) Nongame and Endangered Wildlife Program has reviewed the proposed bank stabilization. They do not expect impacts to known dwarf wedgemussel populations in the Connecticut River as long as all efforts are taken to control sediment from entering the River. The NHFG Fisheries Habitat Biologist, suspects that, in the long-term, there will be bank erosion just upstream of the rip-rap because that is where the river's energy will be. The preferred alternative likely would involve relocating the road, if possible.

9. The road can not be moved because it is adjacent to privately owned farmlands that are protected by a conservation easement.

10. This approval is contingent on review and approval by DES of a final erosion, turbidity and sedimentation control plan.

11. The DES Rivers Coordinator requested additional information for review of the application. The additional information has been reviewed and no further concerns or comments were made.

12. DES has received an approval letter for the proposed work from the underlying and adjacent land owner and the easement holder, Upper Valley Land Trust.

13. Compensatory mitigation is not required for the proposed impacts because work is for protection of existing infrastructure per

Administrative Rule Env-Wt 302.03(c)(2)c. and d.

14. DES has not received any objection to the proposed project.

15. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2008-01249 HAAS, THOMAS
DURHAM Great Bay

Requested Action:

Construct a tidal docking structure consisting of a 6' x 30' permanent pier connecting to a 3' x 40' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 77', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 518' of frontage on Great Bay.

Inspection Date: 08/26/2008 by Dori A Wiggin

APPROVE PERMIT:

Construct a tidal docking structure consisting of a 6' x 30' permanent pier connecting to a 3' x 40' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 77', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 518' of frontage on Great Bay.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine, dated 6/26/2008, as received by the Department on 7/3/2008.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction of this tidal docking structure consisting of a 6' x 30' permanent pier connecting to a 3' x 40' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 77', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 518' of frontage on Great Bay, on Durham Tax Map 20, Lot 4 Block 3 shall be the only dock structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The previously existing dock was destroyed by the April 2007 Patriot's Day storm and needs to be replaced. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is constructed to cross the vegetated tidal resource and the previously existing stone crib area. The ramp and floats are seasonal, and the structure is the minimum length necessary to reach usable water on Great Bay, and is consistent or shorter than docks recently approved in the immediate vicinity.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. The species of concern reported by the NH Natural Heritage Bureau for the project vicinity are located away from the project area and is not expected to be affected by the project. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated 7/31/2008; and the dock is located greater than 20 feet off the abutting property lines.
5. The Durham Conservation Commission conducted a site visit on 8/18/2008, and reported that the had no comments.
6. This application has received review of the federal PGP Joint Processing Meeting on 8/21/2008, and deemed eligible as proposed by the National Marine Fisheries ("NMFS").
7. This dock is consistent with other tidal dock approvals in the seacoast.
8. DES staff field inspection on 8/26/2008 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-01928 NH DEPT OF TRANSPORTATION
HAMPSTEAD Johnsons Pond & Hoghill Brook

Requested Action:

Replace a 5 ft. x 4 ft. x 37 ft. stone/concrete box culvert with an 8 ft. x 6 ft. x 42 ft. open bottom concrete box culvert and install an 18 in. steel sleeve to accommodate a future water main impacting 1,123 sq. ft. of palustrine wetlands and riverine banks and channel (467 sq. ft. temporary).

APPROVE PERMIT:

Replace a 5 ft. x 4 ft. x 37 ft. stone/concrete box culvert with an 8 ft. x 6 ft. x 42 ft. open bottom concrete box culvert and install an 18 in. steel sleeve to accommodate a future water main impacting 1,123 sq. ft. of palustrine wetlands and riverine banks and channel (467 sq. ft. temporary). NHDOT project #2005-M615.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance Dist. 6 dated 3-17-08 and construction sequence by Bureau of Bridge Maintenance/District 6 both as received by the Department on July 2, 2008.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of banks and channel of a perennial stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. On August 19, 2005, the Dept. of Environmental Services (DES) received an application to extend the existing stone/concrete box culvert by 5 ft.

6. On January 19, 2006, the DES received an amended application to slipline the existing stone/concrete box culvert and extend by 5 ft.

7. On January 23, 2006, DES informed the applicant that the amended application changed the project to a minor impact category, the information needed to be submitted to the town and the NH Fish and Game Dept. (NHFG) for comment, as the amended plan would impact the natural stream bottom.

8. On October 19, 2006 the DES received a copy of a letter sent to the Selectmen and on October 24, 2006 a copy of a memo sent to the Division of Historic Resources.

9. On November 8, 2006 the DES sent notice explaining the need to notify all appropriate parties of the amendment and to address the Rules in Env-Wt 302.04(a).

10. On December 13, 2006 the DES received an updated application package.

11. On December 13, 2006 the DES sent a Request for More Information requesting the applicant to address the rules relative to impacts on fish and wildlife. A copy of the letter was sent to NHFG.

12. On December 18, 2006, the DES received a notice from NHFG that there was a Species of Special Concern and this information was forwarded to the applicant the same day.

13. On February 1, 2007 the DES received a revised application package.

14. On October 23, 2007 the DES sent notice that the NHFG was still concerned with the elimination of the natural stream bottom.

15. On March 27, 2008 the DES received an application (amendment 2) to install an open bottom culvert.

16. On April 22, 2008 the DES received a copy of a sign off sheet From the NH Division of Historical Resources indicating no known historic resources.

17. On April 22, 2008 the DES received a request from the Hampstead Area Water Company relative to adding a waterline installation to the application.

18. On July 2, 2008 the DES received notice that the amended plan and construction sequence including the waterline installation was also provided to the Hampstead Conservation Commission.

2006-02257 GOOD EARTH REVOCABLE TRUST OF 2006, MICHAEL GOULD
LACONIA Unnamed Wetland

Requested Action:

Approve name change to: The Good Earth Revocable Trust of 2006, PO Box 666, Meredith, NH 03253 per request received 8/28/08.

APPROVE NAME CHANGE:

Dredge and fill 4164 square feet including installation of a 44 foot x 2 foot x 5 foot open bottom box culvert for access in the subdivision of 8.68 acres to 49 Townhouse Condominium Units.

With Conditions:

1. All work shall be in accordance with plans by Rokeh Consulting LLC dated May 27, 2006, and revised through November 20, 2006, as received by the Department on November 20, 2006, and Subdivision Plans by Brian L Bailey Associates Inc dated May 18, 2006, and revised through May 24, 2006 as received by the Department on August 28, 2006.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Work shall be done during periods of non-flow.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2007-00452 MEADOWBROOK INN CORP, CHERYL PARKER
PORTSMOUTH Hodgson Brook

Requested Action:

Approve name change to: Meadowbrook Inn Corp., 549 Route 1 Bypass, Portsmouth, NH 03801. Previous owner: Anthony DiLorenzo, Key Auto Group, Inc.

APPROVE NAME CHANGE:

Approve name change to: Meadowbrook Inn Corp., 549 Route 1 Bypass, Portsmouth, NH 03801. Previous owner: Anthony DiLorenzo, Key Auto Group, Inc.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2007-01362 PERRY, WILLIAM
PETERBOROUGH Unnamed Wetland

Requested Action:

Approve amendment to dredge and fill an additional approximately 4 sq. ft. and temporarily impact approximately 150 sq. ft. of wetlands to replace an existing utility pole and guy wires.

APPROVE AMENDMENT:

Dredge and fill 9,220 sq. ft. of palustrine emergent and scrub-shrub wetlands within the NHDOT Route 101 (Dublin Rd.) right-of-way for access to a proposed commercial development on \pm 7.21 acres and dredge and fill 14 sq. ft. and temporarily impact 3,590 sq. ft. of emergent wetlands for utility pole relocation onsite and within a PSNH easement.

With Conditions:

1. All work shall be in accordance with plans by TFM dated June 08, 2007, and revised through December 11, 2007, as received by the Department on December 13, 2007 and plans dated October 23, 2008, and revised through July 14, 2008, as received by the DES Wetlands Bureau on July 28, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Work shall be done during low flow of or frozen conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be properly ripped.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

TEMPORARY IMPACT:

12. This permit is contingent upon the restoration of 3,590 square feet of wetlands in accordance with plans received December 13, 2007, and July 28, 2008 and to the satisfaction of the DES Wetlands Bureau within 30 days of completion of construction.
13. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
14. Prior to installation, new wood-pole structures; and upon removal, old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
16. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that

appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.

17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. Filter fabric shall be installed under the temporary fill areas to isolate fill from the natural hydric soils.
20. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
21. Wetlands shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades, within 5 days of backfill.
22. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
23. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
24. Mulch within the restoration areas shall be straw or seedless hay.
25. Seed mix within the restoration areas shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications.
26. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands.
27. Faulty equipment shall be repaired prior to entering wetlands.
28. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
29. All refueling of equipment shall occur 100 feet away from surface waters or wetlands during construction.
30. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
31. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands DES within sixty (60) days of the completion of construction.

With Findings:

The DES Wetlands Bureau reaffirms finding no.'s 1-5 and 7-9:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 9(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The applicant has provided a letter from Public Service of New Hampshire (PSNH) dated April 14, 2006, in which PSNH indicated the proposed relocation of PSNH's existing right-of-way (ROW) is acceptable, subject to several conditions outlined in the letter.
3. The Environmental Protection Agency (EPA) in correspondence dated July 19, 2007, requested the applicant look carefully at water quality, green development, bio-retention and gravel wetlands. The University of New Hampshire Stormwater Center was mentioned as having innovative options.
4. In a letter to the Army Corps of Engineers (ACOE) and copied to the EPA dated November 15, 2007, the agent outlined the proposed development: will decrease the impermeable surface on the already developed site; treat stormwater runoff with subsurface detention systems with pre-treatment water quality units and two bio-retention basins.
5. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

The DES Wetlands Bureau also makes the following additional findings:

9. This permit is contingent upon the restoration of 3,590 square feet of wetlands.

2008-00110 ENFIELD, TOWN OF
ENFIELD Tributary To Crystal Lake

Requested Action:

Dredge and fill approximately 1,050 sq. ft. (180 linear ft.) of wetlands and associated intermittent stream/drainage swale for constructing of stormwater drainage improvements and to re-route stormwater to reduce erosion and flooding along Lockehaven Road and private lands.

APPROVE PERMIT:

Dredge and fill approximately 1,050 sq. ft. (180 linear ft.) of wetlands and associated intermittent stream/drainage swale for constructing of stormwater drainage improvements and to re-route stormwater to reduce erosion and flooding along Lockehaven Road and private lands.

With Conditions:

1. All work shall be in accordance with plans by Town of Enfield Public Works revision dated July 2008, as received by DES on August 7, 2008.
2. The Town shall obtain construction easements or written permission for the approved work from affected landowners outside of the existing road right-of-way and shall supply copies of the easements or written permission to DES Wetlands File No. 2008-0110 prior to construction.
3. Work shall be done during low flow.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The proposed work is to address stormwater that was re-routed on to private property, which is resulting in increased erosion and sedimentation.
6. DES Staff conducted a field inspection of the proposed project on September 19, 2006.
7. The applicant has had the wetlands and surface waters delineated and evaluated by a New Hampshire Certified Wetland Scientist (CWS).
8. The CWS determined that the stormwater improvements would not have a significant impact to the remaining onsite wetlands.
9. The applicant has demonstrated vested rights in accordance with CSPA for presenting the stormwater improvement project to the Town prior to July 1, 2007. Therefore, no Shoreland Permit is required.

2008-00188 JWM GENERATIONS TRUST
TUFTONBORO Lake Winnepesaukee

Requested Action:

Excavate 899 sq ft of bank and dredge 15 cubic yards from 269 sq ft of lake bed to construct a 29 ft x 31 ft dug in boathouse and install a 6 ft x 30 ft seasonal dock on an average of 185 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

No Con Com comments by 04/11/08

APPROVE PERMIT:

Excavate 899 sq ft of bank and dredge 15 cubic yards from 269 sq ft of lake bed to construct a 29 ft x 31 ft dug in boathouse and install a 6 ft x 30 ft seasonal dock on an average of 185 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated January 10, 2008, as received by DES on February 07, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation

action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

14. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.

15. The seasonal pier shall be removed from the lake for the non-boating season.

16. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.

17. This permit does not allow for any dredge on the eastern side of the seasonal dock.

18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of docking facilities providing 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 185 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2008-00675

CAIRA, JEFFREY & SYLVIA

SANBORNTON Lake Winnisquam

Requested Action:

Remove an 8 ft x 6 ft seasonal pier section, install a 6 ft x 40 ft seasonal, hinged pier connected to an existing 6 ft x 40 ft seasonal pier by a 6 ft x 10 ft walkway, with a seasonal boatlift and a 10 ft x 20 ft seasonal canopy, excavate 340 sq ft to construct a 17 ft x 20 ft perched beach with 6 linear ft of 4 ft wide steps to the water on an average of 216 ft of frontage on Lake Winnisquam, in Sanbornton.

APPROVE PERMIT:

Remove an 8 ft x 6 ft seasonal pier section, install a 6 ft x 40 ft seasonal, hinged pier connected to an existing 6 ft x 40 ft seasonal pier by a 6 ft x 10 ft walkway, with a seasonal boatlift and a 10 ft x 20 ft seasonal canopy, excavate 340 sq ft to construct a 17 ft x 20 ft perched beach with 6 linear ft of 4 ft wide steps to the water on an average of 216 ft of frontage on Lake Winnisquam, in Sanbornton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised July 31, 2008, and received by DES on August 6, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only docking structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the docking structures shall extend more than 40 feet from the shoreline at full lake elevation.
6. All excavated material and construction related debris shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed approximately 6 ft landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
14. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
15. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
16. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 216 feet of shoreline frontage along Lake Winnisquam.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. Based on review of the materials the Department believes that the 12 ft 3 in x 20 ft 2 in deck near the south property line to be constructed over land, not over Lake Winnisquam.

2008-00969 ROBICHAUD, ARTHUR & KATHERINE
SALEM Policy Brook

Requested Action:

Remove by hand and tractor assisted drags, accumulated litter, refuse, debris and downed trees which are impeding the flow along 300 linear feet (3,000 sq. ft.) of Policy Brook to prevent damming, restore normal flow and abate flooding.

Conservation Commission/Staff Comments:

The Salem Conservation Commission has reviewed this application, including a site visit, and voted to recommend approval of the application and plans as submitted.

APPROVE PERMIT:

Remove by hand and tractor assisted drags, accumulated litter, refuse, debris and downed trees which are impeding the flow along 300 linear feet (3,000 sq. ft.) of Policy Brook to prevent damming, restore normal flow and abate flooding.

With Conditions:

1. All work shall be in accordance with plans by Applicant, as received by DES on June 26, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator

shall be trained in its use.

9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
- 1a. This project is a restoration of 300 linear feet of impacted stream bed and banks and not a disturbance per Env-Wt 303.02(i).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Salem Conservation Commission conducted a field inspection of the proposed project. Field inspection determined the project needs to be done to restore natural stream flow and to abate flooding due to the accumulated debris during storm events.

2008-01153 WATER WONDERS LLC
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill 5,235 sq. ft. of man-made wetlands being part of an oversized detention pond no longer needed at the original design capacity to provide for lot development.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission has reviewed this application and recommends approval.

APPROVE PERMIT:

Dredge and fill 5,235 sq. ft. of man-made wetlands being part of an oversized detention pond no longer needed at the original design capacity to provide for lot development.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated 6/12/08, as received by DES on June 23, 2008.
2. NH DES Wetlands Bureau Southeast Region staff and the Londonderry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01158 FOGG, HALL
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct two 6 ft x 35 ft piling piers connected by a 6 ft x 12 ft walkway in a "U" shaped configuration, and construct a 143 sq ft perched beach on an average of 158 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com has submitted no comments

APPROVE PERMIT:

Construct two 6 ft x 35 ft piling piers connected by a 6 ft x 12 ft walkway in a "U" shaped configuration, and construct a 143 sq ft perched beach on an average of 158 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction dated January 23, 2008, revision dated June 20, 2008, as received by the Department on June 24, 2008.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 35 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
11. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
12. The steps installed for access to the water shall be located completely landward of the normal high water line.
13. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
14. This permit shall be used only once, and does not allow for annual beach replenishment.
15. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
16. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
17. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of a docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The project is located on an island property on Lake Winnepesaukee.
5. The applicant has an average of 158 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

2007-01644 WEEKS, RAYMOND
BROOKFIELD

Requested Action:

Dredge and fill 1,210 sq. ft. of wet meadow to provide driveway access to an existing barn for repair of the structure and its future use.

APPROVE PERMIT:

Dredge and fill 1,210 sq. ft. of wet meadow to provide driveway access to an existing barn for repair of the structure and its future use.

With Conditions:

1. All work shall be in accordance with revised plans by Land Tech Service Corp. dated 8/13/2008, as received by the Department on 8/19/2008.
2. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
3. There shall be no further alteration of wetlands for lot development, driveways, or additional culverts.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to an area of a property associated with a single family building lot or for non-commercial recreational use.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The barn, which was constructed prior to jurisdiction in a field adjacent to the dwelling, is in need of major repair and permanent legal access through what is now delineated as a wet meadow.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has pulled the access in as closely as possible to the buildings to avoid extending into the wet meadow. There is no other practicable access available.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The project is located essentially in the mowed yard area of an existing house and barn, thus the species and community reported by the NH Natural Heritage Bureau will not be affected by the project.
5. The Brookfield Conservation Commission did not report.

2007-02537 TUFTONBORO, TOWN OF
TUFTONBORO Melvin River

Requested Action:

Dredge and fill a total of 1180 square feet (375 square feet of permanent impacts 805 square feet of temporary impacts) within the bed and banks of the Melvin River to repair an existing 19 foot wide x 24.5 foot pipe by installing an concrete invert within the culvert and meeting grade at the inlet and outlet using rounded river stone.

APPROVE PERMIT:

Dredge and fill a total of 1180 square feet (375 square feet of permanent impacts 805 square feet of temporary impacts) within the bed and banks of the Melvin River to repair an existing 19 foot wide x 24.5 foot pipe by installing an concrete invert within the culvert and meeting grade at the inlet and outlet using rounded river stone.

With Conditions:

1. All work shall be in accordance with plans by Timothy Brody dated September 2007 and revised through 2008.
2. The permittee shall coordinate with NHDES Dam Bureau and NH Fish and Game to insure that the water level and flows within the project area are low.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. No stumps shall be removed within 50 feet of the reference line per RSA 483-B.
11. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
7. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. All work shall be done from the top of the bank. No equipment shall enter the water.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
16. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. Stones utilized at the inlet and outlet of the culvert shall be rounded river stone and shall not include angular rip rap.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Silt fencing must be removed once the area is stabilized.
22. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES staff and NH Fish and Game Staff conducted a site inspection October 2007. This inspection found large areas of instability in the bank and the bottom of the existing culvert has disintegrated over time.
6. The applicant has provided recorded easements for work outside of the right of way.

**2008-00995 SEABROOK, TOWN OF
SEABROOK Tidal Buffer**

Requested Action:

Excavate a 10 ft.x 10 ft. pit in the previously disturbed tidal buffer zone, adjacent to a salt marsh, to connect an existing dwelling, currently on a subsurface septic system, with the existing municipal sewer main thereby eliminating the on-site septic system.

Conservation Commission/Staff Comments:

No report or comments were received from the Seabrook Conservation Commission on this application.

APPROVE PERMIT:

Excavate a 10 ft.x 10 ft. pit in the previously disturbed tidal buffer zone, adjacent to a salt marsh, to connect an existing dwelling, currently on a subsurface septic system, with the existing municipal sewer main thereby eliminating the on-site septic system.

With Conditions:

1. All work shall be in accordance with plans by Michael A. Fowler, P.E., as received by DES on June 23, 2008.
2. Area of impact shall be regraded to original contours following completion of work with rip-rap being replaced and stabilized.
3. NH DES Wetlands Bureau Southeast Region staff and the Seabrook Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

**2008-01126 NH SPEEDWAY INC
CANTERBURY Unnamed Wetland**

Requested Action:

Retain existing 18-inch x 40-foot culvert that impacted 200 square feet within an existing access way.

APPROVE PERMIT:

Retain existing 18-inch x 40-foot culvert that impacted 200 square feet within an existing access way.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2008-01300 THE GIRARD LIMITED PARTNERSHIP
WASHINGTON Unnamed Wetland

Requested Action:

Retain/dredge and fill 563 sq. ft. of palustrine forested wetlands to complete installation a 15-inch x 20-foot ADS culvert for construction of a driveway to a single family residence on Highland Lake.

APPROVE PERMIT:

Retain/dredge and fill 563 sq. ft. of palustrine forested wetlands to complete installation a 15-inch x 20-foot ADS culvert for construction of a driveway to a single family residence on Highland Lake.

With Conditions:

1. All work shall be in accordance with plans by Paul Silvernail Septic Design Consultant dated July 07, 2008, as received by the Department on July 14, 2008.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
3. This permit is contingent upon receipt, by the DES Wetlands Bureau, of photographs of completed construction, illustrating a stabilized crossing.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. No work shall occur within 20 feet of abutting property lines.
6. Work shall be done during low flow conditions.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culverts shall be laid at original grade.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands for access to a single family residence.
2. This permit is conditioned that all activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
3. This permit is contingent upon receipt, by the DES Wetlands Bureau, of photographs of completed construction, illustrating a stabilized crossing.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01515 TRAUB, IRIS
ALTON BAY Lake Winnepesaukee

Requested Action:

Repair an existing crib supported "U-shaped" docking facility and retain an existing seasonal boatlift on 100 ft of frontage in Alton on Lake Winnepesaukee.

APPROVE PERMIT:

Repair an existing crib supported "U-shaped" docking facility and retain an existing seasonal boatlift on 100 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Winipesaukee Marine Construction as received by the Department on August 28, 2008.
2. This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl, particularly loons', breeding and nesting areas shall be avoided.
6. Repair shall maintain existing size, location and configuration.
7. This permit does not allow for maintenance dredging.
8. This permit does not authorize the deposition of sand for any purpose.
9. Annually seasonal boatlifts shall be removed from the lakebed for 5 months during the non-boating season.
10. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
11. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
12. Existing crib rocks shall be reused. No more rocks shall be added or deposited.
13. Old unusable crib support material shall be completely removed out of wetlands jurisdiction.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) repair/replacement of existing docking facilities.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2008-01742 MASON, DANA
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 11, Lot# 23

2008-01765 SAUNDERS, ROBERT
MADISON Unnamed Stream

COMPLETE NOTIFICATION:
Madison Tax Map 238, Lot# 7

2008-01768 WHITEHEAD, WILLIAM & NANCY
SUTTON Baker Brook

COMPLETE NOTIFICATION:
Sutton Tax Map9, Lot# 668,062

2008-01770 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
SHELBURNE Unnamed Stream

COMPLETE NOTIFICATION:
Shelburne Tax Map 8, Lot# 25

2008-01775 GREEN CROW CORP
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:
New Ipswich Tax Map 5A, Lot# 7

EXPEDITED MINIMUM

2008-00224 CROTCHED MOUNTAIN FOUNDATION
FRANCESTOWN Unnamed Wetland

Requested Action:
Approve amendment to include 740 sq. ft. of palustrine forested wetlands impact in Greenfield. Impacts were submitted in original application.

APPROVE AMENDMENT:

Dredge and fill 2,775 sq. ft. of palustrine forested wetlands for construction of the 4-mile Crotched Mountain Foundation accessible trail in Francestown and Greenfield.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants, LLC dated December 17, 2007, as received by the Department on February 14, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Construction of trails shall be in accordance with the "Best Management Practices for Erosion Control During Trail Maintenance and Construction", N.H. department of resources and economic development, copyright 1994, updated 2004.
4. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
5. Wetlands crossings shall not impede or restrict wetland flows.
6. Work shall be done during low flow conditions.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culverts shall be laid at original grade.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(y), construction of trails in accordance with the "Best Management Practices for Erosion Control During Trail Maintenance and Construction", N.H. department of resources and economic development, copyright 1994, updated 2004, provided there is less than 3,000 square feet of impact to wetlands per crossing and all crossings are of stream channels less than 10 feet wide.
2. The proposed accessible trail will be used for rehabilitation and is part of the Master Plan for the Crotched Mountain Foundation.
3. The Crotched Mountain Foundation is being considered for a Forest Legacy Grant that will fund this project and will also allow for 1,200 acres of their land to be placed under a conservation easement.
4. The trail will be open to the public and recreational vehicle use will be restricted.
5. The applicant has obtained permission from the Town of Francestown for work on their property (tax map/lot 4/5).
6. All intermittent and perennial stream crossings along the trail will be spanned and there will be no impacts to the banks or bed of the streams.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00600

WHEELER, KATHRYN

WEBSTER Lake Winnepocket

Requested Action:

Perch an existing 150 sq ft sloped beach with 5 cubic yards of sand, repair 49 linear ft of retaining wall "in kind" on Lake Winnepocket, Webster.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Perch an existing 150 sq ft sloped beach with 5 cubic yards of sand, repair 49 linear ft of retaining wall "in kind" on Lake Winnepocket, Webster.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated March 17, 2008, revision date June 24, 2008, as received by DES on August 08, 2008, and dock existing conditions plan received September 04, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 301.5). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 5 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. Perching the existing beach is less impacting than adding sand to the existing sloped beach.
5. The applicant submitted a waiver request for the work within the abutters 20 ft setback.

**2008-00854 PELHAM, TOWN OF
PELHAM**

Requested Action:

Impact 355 square feet within the bed and banks of an intermittent stream to replace an existing, undersized 15-inch culvert beneath Spring Street with a 36-inch RCP culvert to alleviate flooding to the surrounding areas.

Conservation Commission/Staff Comments:

The Pelham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 355 square feet within the bed and banks of an intermittent stream to replace an existing, undersized 15-inch culvert beneath Spring Street with a 36-inch RCP culvert to alleviate flooding to the surrounding areas.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated April 8, 2008 and revised through July 28, 2008, as received by DES on August 4, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the

substructure work area from the surface waters.

5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The existing culvert is undersized and floods the adjacent areas whenever large storm events generate a substantial amount of precipitation, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The replacement culvert will remain in the foot print of the existing culvert, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated June 6, 2008 received from the NH Natural Heritage Bureau ("NHNHB") identified an Atlantic white cedar-yellow birch-pepperbush swamp as a natural community and the Spotted Turtle (*Clemmys guttata*), a vertebrate species, within the vicinity of the proposed work.
6. The agent addressed issues raised by the NH Fish & Game Dept., Nongame and Endangered Wildlife Program with respect to Spotted Turtle passage, therefore; DES finds that the aforementioned items from the NHNHB will not be adversely affected by the culvert replacement.

2008-01171 GRIGGLESTONE, DAVID & MARGARET DEVINE
MOULTONBOROUGH Lake Kanasatka

Requested Action:

Install a 4 ft x 24 ft seasonal dock on 66 ft of frontage in Moultonborough on Lake Kanasatka.

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock on 66 ft of frontage in Moultonborough on Lake Kanasatka.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on August 25, 2008.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl, breeding and nesting areas shall be avoided.
5. The existing pier shall be removed from Wetlands Jurisdiction before installation of the proposed seasonal pier.
6. This permit does not allow for maintenance dredging.
7. This permit does not authorize sand deposition for any purpose.
8. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal pier shall be removed from the lake for the non-boating season.
10. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01468 **LANOU, CORNELIA**
CHOCORUA **Chocorua Lake**

Requested Action:

Restore 47 linear ft of shoreline with biostabilization methods on 820 ft of frontage in Tamworth, on Chocorua Lake.

APPROVE AMENDMENT:

Restore 47 linear ft of shoreline with biostabilization methods on 820 ft of frontage in Tamworth, on Chocorua Lake.

With Conditions:

1. All work shall be in accordance with Amended plans by Zachary Berger Associates, Ltd as received by DES on August 1, 2008.
2. The planting of invasive species is strictly prohibited.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. All planted vegetation and bio-stabilization methods shall be maintained. Vegetation shall be replaced within one year of mortality with more appropriate species if deemed insufficient to environmental conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. This permit not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion.
9. The unnecessary removal of vegetation is prohibited.
10. This permit does not authorize dredging activities.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb no more than 50 linear ft as

measured along the shoreline of a lake or pond or bank.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Restore 47 linear ft of shoreline with biostabilization methods on 820 ft of frontage in Tamworth, on Chocoraua Lake.

APPROVE PERMIT:

Restore 47 linear ft of shoreline with biostabilization methods on 820 ft of frontage in Tamworth on Chocoraua Lake.

With Conditions:

1. All work shall be in accordance with revised plans by Beckwith Builders as received by DES on April 28, 2008.
2. The planting of invasive species is strictly prohibited.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. All planted vegetation and bio-stabilization methods shall be maintained. Vegetation shall be replaced within one year of mortality with more appropriate species if deemed insufficient to environmental conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. This permit not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion.
9. The unnecessary removal of vegetation is prohibited.
10. This permit does not authorize dredging activities.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb no more than 50 linear ft as measured along the shoreline of a lake or pond or bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

AGRICULTURE MINIMUM

2007-00619

OROURKE, MICHAEL & WENDY

CHICHESTER

Requested Action:

Retain existing drainage swale within a wet meadow for agricultural purposes.

APPROVE AFTER THE FACT:

Retain existing drainage swale within a wet meadow for agricultural purposes.

With Conditions:

1. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u) Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The work was completed in 2005, the wetland has reestablished itself and is fully stabilized.
3. The property owner has had the pond tested and the water quality is acceptable.

TRAILS NOTIFICATION

2008-01766 DRED - TRAILS BUREAU
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:

Berlin Tax Map/Lot# 404/3 & 9, 410/1, 415/1

LAKES-SEASONAL DOCK NOTIF

2008-01771 PASS, VIRGINIA
WOLFEBORO Wentworth Lake

COMPLETE NOTIFICATION:

Wolfeboro, NH Tax Map 149 Lot 8
Lake Wentworth

ROADWAY MAINTENANCE NOTIF

2008-01772 NH DEPT OF TRANSPORTATION
LEE Unnamed Stream

COMPLETE NOTIFICATION:

Line existing 36" RCP culvert with approx. 8'of fill

2008-01773 NH DEPT OF TRANSPORTATION
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:

Repair falling headwall on Route 121

2008-01774 CHESTER, TOWN OF
CHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Replace 2 culverts; 18" with a 24" and a 24" with a 30" on Old Sandown Road

PERMIT BY NOTIFICATION

2008-01638 SANDERSON JR, BRUCE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair/replace existing dock/deck.

PBN DISQUALIFIED:

Repair/replace existing dock/deck.

With Findings:

1. Applicant failed to provide plans showing all shoreline structures and their supports as requested and therefore this application is disqualified.

2008-01693 PETERS, JAMES
LACONIA Paygus Bay

Requested Action:

Deposit 10 cubic yards of sand on existing beach.

PBN IS COMPLETE:

Deposit 10 cubic yards of sand on existing beach.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2008-01762 HEATLEY JR, CRAIG
FITZWILLIAM Laurel Lake**

Requested Action:

Repair existing deck.

PBN IS COMPLETE:

Repair existing deck.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

**2008-01457 BOLES, SUZANNE
MEREDITH Randlett Pond**

Requested Action:

Construct proposed steps to a proposed gazebo outside of the waterfront buffer and construct a proposed patio and wooden stairs within the waterfront buffer on property with approximately 327 ft of shoreline frontage on Randlett Pond in Meredith.

APPROVE PERMIT:

Construct proposed steps to a proposed gazebo outside of the waterfront buffer and construct a proposed patio and wooden stairs within the waterfront buffer on property with approximately 327 ft of shoreline frontage on Randlett Pond in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants, LLC dated July 30, 2008 and received by the Department of Environmental Services ("DES") on August 1, 2008.
2. No more than 6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 26113.76 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,301.38 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9,V,(b),(2).
4. The stumps and root systems of the existing downed trees to be removed must be left intact and in the ground.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01534 PARKER/SCRUGGS, ROBERT & LINDA
LACONIA Winnisquam Lake**

Requested Action:

Impact 2,615 sq ft to construct two retaining walls and regrade an open lawn area within the 50 ft waterfront buffer on property with approximately 145 ft of shoreline frontage on Lake Winnisquam in Laconia.

APPROVE PERMIT:

Impact 2,615 sq ft to construct two retaining walls and regrade an open lawn area within the 50 ft waterfront buffer on property with approximately 145 ft of shoreline frontage on Lake Winnisquam in Laconia.

With Conditions:

1. All work shall be in accordance with plans modified by Robert Parker dated July 16, 2008 and received by the Department of Environmental Services ("DES") on August 6, 2008.
2. No more than 16.09% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave all undisturbed areas within the natural woodland buffer in an unaltered state. At least 4,877 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V,(b),(2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No natural vegetation within the 50 ft waterfront buffer shall be impacted by this project.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01538 DREYER, THOMAS
SPOFFORD Spofford Lake

Requested Action:

Impact 1,000 sqft to regrade lawn areas for the purpose of correcting drainage problem within the 50 ft waterfront buffer on property with approximately 97 ft of frontage on Spofford Lake in Spofford.

APPROVE PERMIT:

Impact 1,000 sqft to regrade lawn areas for the purpose of correcting drainage problem within the 50 ft waterfront buffer on property with approximately 97 ft of frontage on Spofford Lake in Spofford.

With Conditions:

1. All work shall be in accordance with plans by Tom Dreyer dated July 28, 2008 and received by the Department of Environmental Services ("DES") on August 7, 2008.
2. No more than 17.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,950 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,450 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the

plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.

6. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01539 SULLIVAN, PAMELA
FREEDOM Broad Bay

Requested Action:

Dredge approximately 900 sq ft to bury an existing waterline within the 150 ft woodland buffer on property with approximately 30 ft of shoreline frontage on Broad Bay in Freedom.

APPROVE PERMIT:

Dredge approximately 900 sq ft to bury an existing waterline within the 150 ft woodland buffer on property with approximately 30 ft of shoreline frontage on Broad Bay in Freedom.

With Conditions:

1. All work shall be in accordance with plans by Joseph Sullivan dated July 18, 2008 and received by the Department of Environmental Services ("DES") on August 7, 2008.
2. No more than 5.69% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to existing unaltered areas within the woodland buffer as a result of this project other than the proposed temporary impacts indicated on plans by Joseph Sullivan dated July 18, 2008 and received by DES on August 7, 2008.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01541 CITY OF LACONIA PW
LACONIA Paugus Bay

Requested Action:

Disturb 1,394 sq ft for the construction of a genrator pad, propane tank pads, water quality unit and a retaining wall within the protected shoreland along Paugus Bay, in Laconia.

APPROVE PERMIT:

Disturb 1,394 sq ft for the construction of a genrator pad, propane tank pads, water quality unit and a retaining wall within the

protected shoreland along Paugus Bay, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by the Laconia Department of Public Works dated July 23, 2008 and received by the Department of Environmental Services ("DES") on August 7, 2008.
2. No more than approximately 172 sq ft of impervious surface shall be installed within the protected shoreland of the existing right of way unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01685 TWIN BRIDGE LAND MANAGEMENT LLC
NEW BOSTON Beard Pond

Requested Action:

Impact 10,600 sqft to construct a driveway outside of the woodland buffer on property located within 250' of Middle Branch of the Piscataquog in New Boston.

APPROVE PERMIT:

Impact 10,600 sqft to construct a driveway outside of the woodland buffer on property located within 250' of Middle Branch of the Piscataquog in New Boston.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August 4, 2008 and received by the Department of Environmental Services ("DES") on August 19, 2008.
2. No more than 12.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 81 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 65 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.